PRELIMINARY AMENDMENT U.S. APP. NO. 09/078,555

## REMARKS

Entry and consideration of this Amendment are respectfully requested. Additionally, applicant submits the following remarks.

With the filing of this application on May 14, 1998, Applicant requested an interference with U. S. Patent No. 5,684,827 issued to Nielsen, and submitted information pursuant to the requirements of 37 C.F.R. § 1.607(a). However, the Patent Office did not declare an interference. Claims 24-40 have been allowed. Some of these allowed claims are identical to claims in the '827 patent. Applicant respectfully requests that an interference be declared.

Claim 41 is added to comply with the requirements of 37 C.F.R. § 1.114. Applicant intends to cancel this claim upon the declaration of an interference.

Respectfully submitted,

Registration No. 38,551

SUGHRUE MION, PLLC

Telephone: (202) 293-7060

Facsimile: (202) 293-7860

washington office 23373

CUSTOMER NUMBER

Date: September 15, 2004